

MINUTES

UTAH OPTOMETRY LICENSING BOARD MEETING

October 23, 2006

**Room 475 (formerly 4B) – 4th Floor – 9:00 A.M.
Heber Wells Building**

CONVENED: 9:10 A.M.

ADJOURNED: 10:26 A.M.

Bureau Manager:
Board Secretary:

Noel Taxin
Karen McCall

Board Members Present:

Bill G. Codner, OD, Chairperson
Wendy D. Gibbs
Bonnie B. Rice
Russell W. Purdy, OD

Board Members Absent:

Jeffrey H. Seeholzer, OD
Dane F. Dansie, OD
D. Lee Tanner, OD

Guests:

Craig Jackson, Division Director
Cheryl Rudy, Licensing Specialist
Annette Mahler, Executive Director, Utah
Ophthalmological Society

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Read and approve the July 17, 2006 Minutes.

Dr. Purdy made a motion to approve the minutes with minor revisions. Ms. Rice seconded the motion. **The Board vote was unanimous.**

APPOINTMENTS:

9:30 A.M.

Rick S. Robison, OD, Probationary Interview

Dr. Robison met for his probationary interview.

Dr. Codner conducted the interview.

Dr. Codner stated that Dr. Robison's reports have been received and reviewed by the Board. He stated that the reports have been positive but do not address if client files have been reviewed, if the supervisors have discussed the issues pertinent to Dr. Robison's probation and if those issues have been resolved or what safe-guards Dr. Robison has in place for future situations.

Dr. Robison responded that each place of employment is different. He stated that Bruce Brewer, OD, goes through the patient records as they share many of the same patients. He stated that if Dr. Brewer has questions regarding any of the records, he asks questions. Dr. Robison stated that Dr. Brewer is able to see and evaluate the work Dr. Robison does in that office. He stated that Dr. Brewer meets with him regularly and they review anything that is challenging or questionable.

Dr. Robison stated that Art Holloway, OD, does not go through the client files but checks with the office manager regarding his work in that office. He explained that he fills in when Dr. Holloway is away from the office as business is slow in that office.

Dr. Robison explained that Samuel Robison, OD, his father, does not go through the client files. He stated that they to discuss how he is feeling and how large a work load he is carrying. Dr. Robison stated that he works with his father 2 or 3 days a week.

Ms. Taxin asked if Dr. Robison is going to look for additional employment.

Dr. Robison responded that he will be looking for additional employment. He stated that his sister also has an office and after the probation is completed he will probably go to work with her. He explained that he cannot get insurance reimbursement while he is on probation which limits his employment. Dr. Robison stated that his father is also considering retiring and he has thought about taking over his father's practice.

Dr. Codner stated that the Board has discussed the reports being submitted consistently and being consistently positive. Dr. Codner stated that the

Board has recommended the monthly reports now be submitted quarterly. Dr. Codner requested Dr. Robison to talk with the 3 supervisors regarding being more specific in the reports regarding interaction with patients, records reviewed, his coping skills and issues discussed.

Dr. Codner asked Dr. Robison if he is still attending AA meetings.

Dr. Robison thanked the Board for changing the report requirement from monthly to quarterly and stated that he will talk with his 3 supervisors regarding being more specific in their reports.

Dr. Robison responded that he is still attending the AA meetings on Sunday mornings. He stated that he has not had the temptation for drugs for several years but he attends to be reminded what it was like to need the drugs. He stated that he now has a different mind set, his stress level is now low and the craving is no longer there. He stated that going to the meeting once a month is a good standard for him.

Dr. Codner asked if any of the supervisors have addressed the drug issue.

Dr. Robison responded that all 3 do address the drug issue.

Ms. Taxin requested Dr. Robison to have the supervisors write in their reports that the drug issue has been discussed and addressed and to explain how Dr. Robison would handle a similar situation if it came up again. She stated that the supervisors are the eyes for the Board to be sure Dr. Robison is following the accepted standards of the profession and the Stipulation and Order to protect the public.

Dr. Codner stated that the Board noted all the drug tests have been negative. Dr. Codner asked if any Board members had any questions for Dr. Robison.

The Board responded they did not have any questions.

Ms. Taxin asked Dr. Robison if he had any questions

for the Board.

Dr. Robison stated that he had no questions.

Ms. Taxin stated that the more information on the report the better idea the Board has regarding what and how Dr. Robison is doing. She stated that it will assist the Board and Division in making the recommendation for loosening the probationary requirements and for early release from probation if he continues to be compliant.

An appointment was made for Dr. Robison to meet again January 22, 2007. Dr. Codner requested the Reports be submitted prior to that date for the Board to review.

DISCUSSION ITEMS:

Board Member Training

Ms. Taxin conducted the Annual Board Member Training. She distributed information on the Open and Public Meeting Act, Structure of Licensing Board, specifically the Optometry Board consisting of 5 licensed Optometrists and 2 public members. Ms. Taxin covered the process of appointing Board members. She stated we do have people call and voice interest in serving. Ms. Taxin stated that the Division reviews the resume and, if appropriate, recommends to the Department Director the individual be appointed in addition to the Association recommended professionals.

Ms. Taxin covered the requirements to close a meeting and to re-open the meeting. She stated that we do not record closed portions but the secretary will take notes. She stated that all motions and requirements must be stated on the recording after the meeting is re-opened. Ms. Taxin stated that a quorum of the Board must be present to conduct Board business of motions. She stated that all Board business must be conducted here and not at outside gatherings. Ms. Taxin stated that agendas are posted 2 places in the building, one the DOPL website and in 2 Utah newspapers.

Ms. Taxin reviewed the responsibilities and Division expectations of a Board member. She stated that the number one responsibility is for the Board to protect the public. Ms. Taxin requested the Board to act fairly and

effectively and not be too quick to judge. She stated that the Board should put their personal biases aside and should not come to a Board meeting with personal agendas. She reminded Board members to be respectful of each other, the Division and any appointments and probationers. She requested the Board to be open to alternatives and be creative in each individual probationary circumstance.

Ms. Taxin requested Board members excuse or recuse themselves and leave the meeting if there is a personal conflict with a probationer.

Ms. Taxin recommended Board members read and understand the Laws and Rules. She suggested they be professional and act with integrity, keep confidentiality and be good role models.

Ms. Taxin covered the Emergency Alarm procedures and let the Board know the exits and where to meet to be sure all Staff, Board members and any visitors are accounted for.

Dr. Codner stated that Optometrists who have not served on the Board are not sure what the Board duties are. He stated that he does not think they understand that the Board is to look after the safety of the public while the Association has the responsibility to protect the profession.

Ms. Taxin suggested Dr. Codner write an article for the Association newsletter outlining the Board member duties.

Dr. Codner responded that he would consider writing an article. He then stated that he received a phone call regarding office entry way and client waiting room requirements that was taken out of the Law several years ago. Dr. Codner stated that he explained that the information was in the old Law and then referred the caller to the current Utah Law and Rule.

Ms. Taxin stated that Board members may also direct people to the website for easy access to the current Law and Rule and should give the caller the phone number of the Division for their questions.

Tentative 2007 Board Meeting Schedule

Ms. Taxin explained that 4 dates have been tentatively scheduled for the 2007 Board meetings. She asked Board members to review their calendars regarding availability in attending the meetings.

Dr. Codner responded that he might be unavailable July 30, 2007. He stated that he will notify the Division as soon as possible.

Ms. Gibbs responded that she might be unavailable April 16 and July 30, 2007. She stated that she will also notify the Division as soon as possible.

Ms. Taxin reminded the Board that if there is no Board business to discuss, meetings will be cancelled.

Dr. Codner asked about meeting with Dr. Robison on a quarterly basis.

Ms. Taxin recommended the Board meet with him January 22, 2007 and then make a recommendation regarding continuing with quarterly meetings or changing to have him meet every 6 months. She stated that the reports must be more detailed before the Board could vote for 6 month meetings.

The Board noted the following meeting dates for 2007: Mondays, January 22, April 16, July 30 and October 15, 2007.

FYI

Craig Jackson, Division Director, took a few moments to notify the Board that he is retiring the end of December 2006 and will not see this Board again. Mr. Jackson thanked the Board for their service.

Dr. Codner responded with appreciation to Mr. Jackson regarding the environment that the Board and Division work together and Mr. Jackson's door has always been open for anyone to come in and talk. He stated that Mr. Jackson would listen to what was said.

Mr. Jackson stated that he and staff members consider the Division and Boards as teams that work together. Mr. Jackson stated that he will miss being here but it is time to retire.

CORRESPONDENCE:

ARBO Correspondence

The Board reviewed the following ARBO correspondence:

1. ARBO Great Western Regional Meeting Information.

Dr. Codner stated that Board members receive this information. He stated that this is the information for the yearly meeting and this particular meeting is being held in Portland, Oregon. Dr. Codner stated that Dr. Dansie usually tries to attend the ARBO meetings.

2. The Green Sheet, August 2006.

No action taken.

3. ARBO 2006 Leadership Director.

Dr. Codner checked the information and noted that his name and information as well as Ms. Taxin's name and information are listed as contact people for Utah.

NEXT MEETING SCHEDULED FOR:

January 22, 2007

MEETING ADJOURNED AT:

10:26 A.M.

Date Approved

Chairperson, Utah Optometry Licensing Board

Date Approved

Bureau Manager, Division of Occupational & Professional Licensing